

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, JULY 21, 2003 AT 1:30 P.M.**

The Meeting was called to order at 1:30 p.m. Present: Council Chairperson Camp; Council Members: Cook, Friendt, McRoy, Newman, Svoboda, Werner; Joan Ross, City Clerk.

Council Chair asked all present to stand and recite the Pledge of Allegiance and reflect for a moment of silent meditation.

READING OF THE MINUTES

COOK Having been appointed to read the minutes of the City Council proceedings of July 14, 2003, reported having done so, found same correct.

Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

PUBLIC HEARING

APPLICATION OF GEEMAX, INC. DBA N-ZONE FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 42 FEET BY 50 FEET AT 728 ½ Q STREET ON AUGUST 30, SEPTEMBER 6, 13, OCTOBER 4, 18, 25, AND NOVEMBER 15, 2003 FROM 8:00 A.M. TO 1:00 A.M. - John Boehm, Attorney, 811 So. 13th Street, representing GeeMax and Mike McCarty, 6350 Holdrege Street, came forward to explain the application for a Special Designated License. Mr. Boehm also requested a waiver of condition placed by the Health Dept. for two portable toilets. He explained his client had a handicapped accessible toilet inside his place of business and has always had one portable toilet outside on game days. Discussion ensued among Council members regarding the Health Department's requirement.

Investigator Russ Fosler came forward to answer questions posed by Councilman Friendt. Officer Fosler indicated he was not aware the extra requirement had been added by the Health Dept.

This matter was taken under advisement.

APPLICATION OF PERSHING CENTER FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA ON N STREET FROM 16TH TO THE MIDDLE OF THE BLOCK BETWEEN 15TH AND 14TH STREETS, CENTENNIAL MALL FROM O STREET TO M STREET, ON AUGUST 14, 15, 16, AND 17, 2003 FROM 11:00 A.M. TO 11.59 P.M. - Tom Lorenz, General Manager of Pershing Auditorium came forward to invite Council members to the 7th Annual Ribfest held at Pershing. He noted the number of portable toilets that were available on the streets during this festival, as well as the building being open for those facilities.

This matter was taken under advisement.

APPLICATION OF UPDOWNTOWNERS INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 450' BY 90' NORTH/SOUTH AND 450' BY 90' EAST/WEST IN 12TH STREET M/N-O ST., AND N ST. 11TH/12TH-13TH STREET, ON JULY 24, 2003 FROM 6:00 P.M. TO 1:00 A.M., JULY 25, 2003 FROM 11:00 A.M. TO 1:00 A.M., AND JULY 26, 2003 FROM 12:00 P.M. TO 1:00 A.M. - Tad Fraizer, Attorney, 233 So. 13th Street, Suite 1535 and Deb Johnson, 1200 "N" Street, Suite 101, both members of Updowntowners, came forward to explain the activities involved with July Jamm.

This matter was taken under advisement.

MANAGER APPLICATION OF SCOTT C. GWARTNEY FOR BRINKER RESTAURANT CORP. DBA ROMANO'S MACARONI GRILL AT 6800 SOUTH 27TH STREET - Scott Gwartney 8140 South Cherrywood Drive, came forward and took the oath. Councilman Werner asked how many restaurants Mr. Gwartney would be managing. He responded it would just be this one.

This matter was taken under advisement.

REGULAR MEETING
July 21, 2003
PAGE 300

AMENDING CHAPTER 10.26 OF THE LINCOLN MUNICIPAL CODE TO REFLECT THE CHANGES TO THE TRANSPORTATION PLAN OF THE LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN - Nicole Fleck-Tooze, Public Works and Utilities came forward to explain the intent was to amend Title 10 of the arterial streets that are listed in there to match and be consistent with what was approved with the Comprehensive Plan in the amendment this year. There were some questions that related to specific streets or portions of streets that were missing in here and I would like to point out that the only sections that are included in your ordinance are those that are being amended.

This matter was taken under advisement.

APPROVING A SUBLEASE AGREEMENT BETWEEN THE CITY AND NEBRASKA DAS/STATE BUILDING DIVISION ON BEHALF OF NEBRASKA WORKFORCE DEVELOPMENT, DEPARTMENT OF LABOR FOR A SUBLEASE OF SPACE AT THE ONE STOP CENTER, 1010 N STREET, TO PROVIDE JOB TRAINING AND EMPLOYMENT SERVICES UNDER THE WORKFORCE INVESTMENT ACT - Marc Wullschleger, Director of Urban Development, came forward to explain the sublease agreement.

This matter was taken under advisement.

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,250,000.00 CITY OF LINCOLN, NEBRASKA LINCOLN MALL REDEVELOPMENT PROJECT TAX ALLOCATION BONDS - Lauren Wismer, Gilmore & Bell, 1248 "O" Street, Suite 710, came forward to explain the nature of this bond project.

Craig Groat, 4935 Huntington St., came forward in opposition to this project. He stated he had not seen photos or drawings regarding this. Councilman Cook advised him that Urban Development would have drawings available.

Dallas McGee, Urban Development came forward to answer questions posed by Councilman Werner. He informed the Council that Clark, Enersen Partners had been hired to do the design work and that there would be the reconstruction of sidewalks and new landscaping, and the theme would tie in with both Lincoln statues at each end of the mall.

This matter was taken under advisement.

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$5,500,000.00 CITY OF LINCOLN, NEBRASKA ENTERTAINMENT CENTER/OLD FEDERAL BUILDING REDEVELOPMENT PROJECT TAX ALLOCATION BONDS - Lauren Wismer, Gilmore & Bell, 1248 "O" Street, Suite 710, came forward to explain the nature of this bond project.

Craig Groat, 4935 Huntington St., came forward in opposition to this project. He suggested the City use their powers of eminent domain to regain the Federal Building.

This matter was taken under advisement.

AUTHORIZING MONICA MCCLENAHAN DBA DISH TO OCCUPY A PORTION OF THE PUBLIC RIGHT-OF-WAY AT 1100 O STREET FOR USE AS A SIDEWALK CAFÉ - Councilman Friendt asked Joan Ross, City Clerk, if Ms. McClenahan had received a copy of the memo written by Teresa Meier, Deputy Clerk. Ms. Ross indicated that she would check this out and be sure one has been sent.

Investigator Russ Fosler, came forward to explain that the applicant has not yet met all of the requirements to complete getting her sidewalk café permit. He suggested that it needed to be placed on pending for two weeks. He explained that the measurements diagram for this sidewalk café are incorrect for the first applicant and it has simply carried over to this owner. Councilwoman McRoy asked if she is currently using the sidewalk café and is she not in violation of Liquor Commission laws. Officer Fosler indicated he would recommend that she not use it until this is corrected. Council Chair Camp asked Officer Fosler to explain the inconsistencies. Officer Fosler indicated that actual dimensions of the area that she wished to be licensed are different from what the actual sidewalk café is presently. Other areas that are included in the license, are not fenced. Council Chair Camp stated that the Council would recommend Officer Fosler giving her notice of these recommendations.

Councilman Werner asked if there is a reason to discontinue her service, since it has been going on for such a long time. Officer Fosler stated the legal reasons would be that it doesn't fall within the Liquor Control Act as far as alcohol consumption is concerned. He also asked if we as a city, are liable for what occurs in that area? Councilman Svoboda asked how long they have been working on this problem. Ms. Ross indicated that July of 2002 was when this first started.

Jeff Cole, Urban Development, came forward to answer questions posed by Council members. He stated that the first application we

received to review with the applicant was on July 1st, 2003 with the full committee, the request for the new sidewalk café permit. Ms. Ross stated that the application was returned to the applicant because it was deficient and there was no response and in June of 2003, we found she was not licensed and another letter was sent reminding her of the permit she needed. Councilman Werner asked who makes up the committee members. Mr. Cole stated it was defined by the Ordinance, it has representation from Building and Safety, Police, Planning, Urban Development, Health and a DLA representative. Councilman Werner asked if the applicant is willing to work on this. Mr. Cole stated it has been difficult to clarify the issues and there was a misunderstanding on the applicant's part that the license carried over to the new ownership. Councilman Werner asked if from the committee's opinion, should we ask her to discontinue service. Mr. Cole stated the committee is very supportive of the sidewalk café in that location. Councilman Cook asked about the violations and operating a sidewalk café for one year without a permit and the insurance was not in place. Mr. Cook stated it does say that she was advised if the changes were not made after this had been placed on the Council Agenda, there would be a request to put it on pending. Mr. Cole replied that she was in the City Clerk's office just prior to this meeting.

Dana Roper, City Attorney, came forward and asked Ms. Ross what kind of insurance is on file. Ms. Ross said that it was received June 18th, that will expire July 1st, 2004. Prior to that there was no insurance. Mr. Roper explained that not having the permit puts the city at risk and we cannot authorize the permit if it doesn't comply with the ordinance.

Councilman Cook asked Ms. Ross about the insurance. Ms. Ross replied that the applicants are required to keep their insurance on file with us, put prior to this she hadn't filed with our office.

Councilman Svoboda asked if the applicant was given notice of this hearing to appear today. Ms. Ross indicated she had been notified, however, Ms. Meier, Deputy Clerk had told the applicant it was not necessary to attend the meeting today if it was just going to be placed on pending.

Capt. Joy Citta, Lincoln Police Dept. came forward to answer questions posed by Councilwoman McRoy. Ms. McRoy was asked if she could be ordered not to serve liquor in the outdoor area, since she technically doesn't have a permit and that would be a violation of the State Liquor Commission. Capt. Citta replied that the Liquor Commission requires there be a lease agreement to issue a license. She didn't have a lease agreement at the time she applied for the liquor license. We have notified the Liquor Commission about that omission and she will need to correct that. She will need a license that covers both areas. The City of Lincoln would be the owner of the property, so we don't have a signed agreement and technically she can't sell alcohol in that area. Capt. Citta indicated that we would prefer she did not. Ms. McRoy asked how fast can the event team get this resolved, so we can get her back in business. She was to submit her paperwork by July 3rd for the diagrams. We received them on July 17th, so Chuck Schweitzer and I went to her location to measure to get this done and found these discrepancies, the areas not covered, the lease agreement and there is no gate. We gave her the list of what needs to be done. Councilman Friendt said he didn't think this owner is trying to be uncooperative. The owner has been serving food and alcohol in this space since last summer. It is possible that not allowing service would put some urgency into a resolution of these issues. Councilman Werner asked if she had paid the lease of \$122.00 last year? Ms. Ross indicated that we do not bill that from the City Clerk's office. He asked who will make the decision to discontinue service? Capt. Citta stated we have indicated to her that she should stop until we have a chance to get this corrected. She has an easy quick fix on this. Councilman Werner asked about the gate requirement. Capt. Citta stated that we have recently been to the Liquor Commission on another matter and they choose to do that on a case by case basis. Councilman Werner asked who was requiring gates. Officer Fosler came forward that the liquor laws at the current time require them to have a gate. They can request an exemption from the Commission. The Attorney General's office gave the legal opinion on the gates.

Council Chair Camp said that there has been an evolution of discovery. Officer Fosler replied that we are trying to get that amended from the Liquor Commission and it is being rewritten by the

Liquor Control Commission and the Attorney General's office and until that time, my place is to enforce the law that is there.

Councilman Svoboda commented that they should not be using our city sidewalks until they have a permit. So they should cease and desist selling liquor.

Councilman Werner asked Mr. Roper if it could be appropriate to request the Police Dept. not shut them down. Mr. Roper indicated that it would be. Mr. Werner also inquired if the Police Dept. can ask them to stop serving in the entire area. Mr. Roper replied they could and it is because they don't have a sidewalk permit. He also indicated that Teresa Meier from the City Clerk's office reported the applicant had not paid the lease for the past year.

This matter was taken under advisement.

SPECIAL PERMIT 2021 - APPLICATION OF TRUAX HOMES TO OPERATE AN EARLY CHILDHOOD CENTER FOR 100 CHILDREN IN AN R-T TRANSITION DISTRICT, WITH A WAIVER TO THE REQUIREMENT THAT FACILITIES WITH 31 OR MORE CHILDREN HAVE FRONTAGE ON AN ARTERIAL STREET, ON PROPERTY GENERALLY LOCATED AT SOUTH 56TH STREET AND WALTZ ROAD - Brian Carstens, 601 Old Cheney Rd., Suite C, representing Truax Homes, came forward in support of this special permit.

Councilman Friendt asked for clarification on the map. Ray Hill, Planning Dept. came forward and said the Planning Dept. accepts the revised plans.

This matter was taken under advisement.

DECLARING AN AREA GENERALLY BOUNDED BY C STREET ON THE SOUTH, 17TH STREET ON THE WEST, THE BURLINGTON NORTHERN RAILROAD ON THE NORTH, AND 28TH STREET ON THE EAST AND ALSO INCLUDING AN AREA GENERALLY BOUNDED BY THE BURLINGTON RAILROAD ON THE SOUTH, INTERSTATE 180 ON THE WEST, SALT CREEK ON THE NORTH, AND 14TH STREET ON THE EAST (THE ANTELOPE VALLEY PROJECT AREA), AS BLIGHTED AND SUBSTANDARD - Wynn Hjermstad, Urban Development, came forward to explain that the community revitalization is really the first step in this Antelope Valley Project. Councilman Friendt asked for explanation of this process. Ms. Hjermstad explained the area is first determined as blighted by the State Statutes and then Urban Development is able to do a re-development plan and then funding dollars are available. We are able to create TIF (Tax Increment Funding) districts, which gives us funding to put back into making improvements. Councilman Friendt asked if there were ramifications for property owners. Ms. Hjermstad indicated there are not any. Councilwoman Newman asked how the boundaries were determined. Ms. Hjermstad stated they actually drove the area to make that determination.

Mike Morosin, 2055 "S" St., came forward in opposition to this item.

This matter was taken under advisement.

APPOINTING DAN MARVIN TO THE LINCOLN-LANCASTER COUNTY PLANNING COMMISSION TO FILL AN UNEXPIRED SIX-YEAR TERM EXPIRING AUGUST 24, 2005 - Craig Groat, 4935 Huntington St., came forward in favor of this applicant for the Planning Commission.

This matter was taken under advisement.

APPROVING AN ANNEXATION AGREEMENT BETWEEN THE CITY OF LINCOLN, PINE LAKE ASSOCIATION, AND SANITARY AND IMPROVEMENT DISTRICT NO. 2 OUTLINING CERTAIN CONDITIONS AND UNDERSTANDINGS WITH REGARDS TO THE ANNEXATION OF APPROXIMATELY 160 ACRES OF PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF SOUTH 84TH STREET AND PINE LAKE ROAD - Bill Austin, Attorney, 301 So. 13th Street, Suite 400, representing the Sanitary and Improvement District No. 2, came forward in favor of this agreement.

This matter was taken under advisement.

TOOK BREAK 3:03 P.M.

RECONVENED 3:14 P.M.

MISCELLANEOUS BUSINESS

Mike Morosin, 2055 "S" St., came forward to show an aerial map of the proposed Antelope Valley Project. He gave a list of four locations

that have been offered through a new program for potential places that his house could be moved to. He suggested that on the east side of the water way, that people should have the first opportunity to relocate.

Glen Cekal, 1420 C St., came forward to suggest that all apartment complexes should have smoke detectors hot wired in them. He also commented about the bind weed that is out of control in various locations in the city. Councilwoman McRoy suggested that the Fire Department will go out and check building and install smoke detectors.

Craig Groat, 4935 Huntington Avenue, came forward to address the ICMA Code of Ethics. Council Chair Camp ruled Mr. Groat out of order due to the fact that an item relating to the Code of Ethics was already on the Council's agenda.

These matters were taken under advisement.

**** END OF PUBLIC HEARING ****

COUNCIL ACTION

LIQUOR RESOLUTIONS

APPLICATION OF GEEMAX, INC. DBA N-ZONE FOR A SPECIAL DESIGNATED LICENSE COVERING AN AREA MEASURING 42 FEET BY 50 FEET AT 728 ½ Q STREET ON AUGUST 30, SEPTEMBER 6, 13, OCTOBER 4, 18, 25, AND NOVEMBER 15, 2003 FROM 8:00 A.M. TO 1:00 A.M. - PRIOR to reading,

NEWMAN Moved to allow only one portable toilet facility. (Line 15, Item 6).

Seconded by Svoboda & carried by the following vote: AYES: Camp, Friendt, McRoy, Newman, Svoboda; NAYS: Cook, Werner.

CLERK Read the following resolution, introduced by Glenn Friendt, who moved its adoption for approval:

A-82217 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Geemax, Inc. dba N Zone for a Special Designated License to cover an area measuring 42 feet by 50 feet at 728 1/2 Q Street, Lincoln, Nebraska, on August 30, September 6, 13, October 4, 18, 25, and November 15, 2003, between the hours of 8:00 a.m. and 1:00 a.m., be approved with the condition that the applicant and premise complies in every respect with all City and State regulations and with the following requirements:

1. Identification shall be checked on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.
5. An additional second exit from the fenced in area shall be provided.
6. One portable toilet facility shall be provided.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Glenn Friendt

Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

APPLICATION OF PERSHING CENTER FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA ON N STREET FROM 16TH TO THE MIDDLE OF THE BLOCK BETWEEN 15TH AND 14TH STREETS, CENTENNIAL MALL FROM O STREET TO M STREET, ON AUGUST 14, 15, 16, AND 17, 2003 FROM 11:00 A.M. TO 11.59 P.M. - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption for approval:

A-82218 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Pershing Center for a Special Designated License to cover an area on N Street from 16th Street to the middle of the block between

15th and 14th Streets, and Centennial Mall from "O" Street to "N" Street, Lincoln, Nebraska, on August 14, 15, 16, and 17, 2003 from 11:00 a.m. to 11:59 p.m., be approved with the condition that the premise complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Ken Svoboda

Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

APPLICATION OF UPDOWNTOWNERS INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 450' BY 90' NORTH/SOUTH AND 450' BY 90' EAST/WEST IN 12TH STREET M/N-O ST., AND N ST. 11TH/12TH-13TH STREET, ON JULY 24, 2003 FROM 6:00 P.M. TO 1:00 A.M., JULY 25, 2003 FROM 11:00 A.M. TO 1:00 A.M., AND JULY 26, 2003 FROM 12:00 P.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption for approval:

A-82219 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Updowntowners Inc. for a Special Designated License to cover an area measuring approximately 450' by 90' north/south and 450' by 90' east/west in 12th Street M/N-O St., and N St. 11th/12th-13th St., Lincoln, Nebraska, on July 24, 2003 from 6:00 p.m. to 1:00 a.m., July 25, 2003 from 11:00 a.m. to 1:00 a.m., and July 26, 2003 from 12:00 p.m. to 1:00 a.m. be approved with the condition that the premise complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Glenn Friendt

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

MANAGER APPLICATION OF SCOTT C. GWARTNEY FOR BRINKER RESTAURANT CORP. DBA ROMANO'S MACARONI GRILL AT 6800 SOUTH 27TH STREET - CLERK read the following resolution, introduced by Glenn Friendt, who moved its adoption for approval:

A-82220 WHEREAS, Brinker Restaurant Corp. dba Romano's Macaroni Grill located at 6800 South 27th Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Scott C. Gwartney be named manager;

WHEREAS, Scott C. Gwartney appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Scott C. Gwartney be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Glenn Friendt

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

ORDINANCES - 2ND READING

AMENDING CHAPTER 10.26 OF THE LINCOLN MUNICIPAL CODE TO REFLECT THE CHANGES TO THE TRANSPORTATION PLAN OF THE LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN - PRIOR to reading:

COOK Moved to place Bill 03-103 on pending with date certain and continue p.h. and action on 9/8/03.

Seconded by McRoy & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

CLERK Read the following ordinance, introduced by Ken Svoboda, amending Chapter 10.26 of the Lincoln Municipal Code to reflect the changes to the transportation plan of the Lincoln-Lancaster County Comprehensive Plan, the second time.

APPROVING A SUBLEASE AGREEMENT BETWEEN THE CITY AND NEBRASKA DAS/STATE BUILDING DIVISION ON BEHALF OF NEBRASKA WORKFORCE DEVELOPMENT, DEPARTMENT OF LABOR FOR A SUBLEASE OF SPACE AT THE ONE STOP CENTER, 1010 N STREET, TO PROVIDE JOB TRAINING AND EMPLOYMENT SERVICES UNDER THE WORKFORCE INVESTMENT ACT - CLERK read the following ordinance, introduced by Ken Svoboda, approving a sublease agreement between the City and Nebraska DAS/State Building Division on behalf of Nebraska Workforce Development, Department of Labor for a sublease of space at the One Stop Center, 1010 N Street, to provide job training and employment services under the Workforce Investment Act, the second time.

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,250,000.00 CITY OF LINCOLN, NEBRASKA LINCOLN MALL REDEVELOPMENT PROJECT TAX ALLOCATION BONDS - CLERK read the following ordinance, introduced by Ken Svoboda, authorizing the issuance of not to exceed \$1,250,000.00 City of Lincoln, Nebraska Lincoln Mall Redevelopment Project Tax Allocation Bonds, the second time.

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$5,500,000.00 CITY OF LINCOLN, NEBRASKA ENTERTAINMENT CENTER/OLD FEDERAL BUILDING REDEVELOPMENT PROJECT TAX ALLOCATION BONDS - CLERK read the following resolution, introduced by Ken Svoboda, authorizing the issuance of not to exceed \$5,500,000.00 City of Nebraska Entertainment Center/Old Federal Building Redevelopment Project Tax Allocation Bonds, the second time.

RESOLUTIONS

AUTHORIZING MONICA MCCLENAHAN DBA DISH TO OCCUPY A PORTION OF THE PUBLIC RIGHT-OF-WAY AT 1100 O STREET FOR USE AS A SIDEWALK CAFÉ - PRIOR to reading,

MCROY Moved to continue public hearing and action on Bill 03R-184 for one week to 7/28/03.

Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

SPECIAL PERMIT 2021 - APPLICATION OF TRUAX HOMES TO OPERATE AN EARLY CHILDHOOD CENTER FOR 100 CHILDREN IN AN R-T TRANSITION DISTRICT, WITH A WAIVER TO THE REQUIREMENT THAT FACILITIES WITH 31 OR MORE CHILDREN HAVE FRONTAGE ON AN ARTERIAL STREET, ON PROPERTY GENERALLY LOCATED AT SOUTH 56TH STREET AND WALTZ ROAD - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82221 WHEREAS, Truax Homes has submitted an application designated as Special Permit No. 2021 for authority to operate an early childhood care facility for 100 children in an R-T Residential Transition District, with a waiver of the requirement that facilities with 31 or more children shall have frontage on an arterial street, on property generally located at South 56th Street and Waltz Road, and legally described to wit:

Lot 1, and Outlot A, Country Plaza 2nd Addition,
located in the Northeast Quarter of Section 17,
Township 9 North, Range 7 East of the 6th P.M.,
Lincoln, Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for this early childhood care facility will not be ad-

versely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the application of Truax Homes, hereinafter referred to as "Permittee", to operate an early childhood care facility in the R-T Residential Transition District, on the property legally described above, be and the same is hereby granted under the provisions of Section 27.63.070 of the Lincoln Municipal Code upon condition that construction and operation of said early childhood care facility be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves an early childhood care facility for up to 100 children.

2. The requirement of Section 27.63.070 (c) that the facility be located on an arterial or collector street is hereby waived to allow access from Waltz Road.

3. Before receiving building permits for the interior of the building:

- a. The Permittee must provide documentation regarding the conservation easement over the outlots shown on the drawings. If no such easement exists, one must be established pursuant to Special Permit 1855, Use Permit 138, and according to the notes on the submitted drawings for this special permit.
- b. The Permittee must submit an acceptable revised final plan and five copies thereof.
- c. The construction plans must conform to the approved plans.
- d. The Permittee must obtain approval and filing of a plat showing the building and playground area for the childcare facility on the same lot.
- e. The operation and the premises must meet appropriate local and state licensing requirements, including compliance with health codes.
- f. The Permittee must provide an "Emergency Evacuation Plan" for the approval of the Lincoln-Lancaster County Health and Fire Departments to resolve any safety concerns related for the potential for flooding.
- g. The Permittee must submit building plans acceptable to the Building and Safety Department and Fire Department to review for compliance for use as a childcare facility.

4. Before receiving occupancy permits, the Permittee must, pursuant to Special Permit 1855, Use Permit 138, and Sheet 3A (Channel Improvement Layout) submitted by the Permittee, complete the improvements to the Beal Slough channel as shown on Sheet 3A and in compliance with the Beal Slough Basin Stormwater Master Plan.

5. Before occupying the early childhood care facility all development and construction must be in conformance with the approved plans.

6. All privately-owned improvements must be permanently maintained by the Permittee.

7. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

8. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, its successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

9. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid

in advance by the Permittee.

10. The site plan as approved with this Resolution voids and supersedes all previously approved site plans, however, all resolution approving previous permits remain in force unless specifically amended by this Resolution.

Introduced by Terry Werner

Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

DECLARING AN AREA GENERALLY BOUNDED BY C STREET ON THE SOUTH, 17TH STREET ON THE WEST, THE BURLINGTON NORTHERN RAILROAD ON THE NORTH, AND 28TH STREET ON THE EAST AND ALSO INCLUDING AN AREA GENERALLY BOUNDED BY THE BURLINGTON RAILROAD ON THE SOUTH, INTERSTATE 180 ON THE WEST, SALT CREEK ON THE NORTH, AND 14TH STREET ON THE EAST (THE ANTELOPE VALLEY PROJECT AREA), AS BLIGHTED AND SUBSTANDARD - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82222 WHEREAS, it is desirable and in the public interest that the City of Lincoln, Nebraska, a municipal corporation and a city of the primary class, undertake and carry out urban redevelopment projects in areas of the City which are determined to be substandard and blighted and in need of redevelopment; and

WHEREAS, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 1943, as amended, known as the Community Development Law, is the urban renewal and redevelopment law for the State of Nebraska and prescribes the requirements and procedures for the planning and implementation of urban redevelopment projects; and

WHEREAS, the City in accordance with its Home Rule Charter and the laws of the State of Nebraska applicable to cities of the primary class has duly prepared and approved a general plan for the development of the City known as its Comprehensive Plan, all as required by Section 18-2110, R.R.S. 1943; and

WHEREAS, this Council has received and duly considered evidence relating to the present condition of the Antelope Valley Redevelopment Area, as shown and described on Attachment "A"; and

WHEREAS, this Council has received and duly considered other evidence, including evidence relating to the scope and limitations of the nearby redevelopment plans in the area, and the inability of the other plans to effectively remedy the substandard and blighted conditions;

WHEREAS, Article 8, Section 12 of the Constitution of the State of Nebraska requires that said area must be found to be both substandard and blighted in order for tax increment financing to be used in said area; and

WHEREAS, Section 18-2109, R.R.S. 1943, as amended, requires that prior to the preparation by the City of an urban redevelopment plan for a redevelopment project for the Antelope Valley Redevelopment Area, this Council as governing body of the City, by resolution, after review and recommendation from the Lincoln City Lancaster County Planning Commission, find and determine that said area is both a substandard and blighted area as defined in said Community Development Law, and in need of redevelopment; and

WHEREAS, on June 13, 2003 notice of public hearing was mailed, postage prepaid, to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resource district in which the real property subject to such plan is located and whose property tax receipts would be directly affected and to all registered neighborhood associations located in whole or in part within one mile radius of the area to be redeveloped setting forth the time, date, place, and purpose, of the public hearing to be held on June 25, 2003 before the Lincoln City - Lancaster County Planning Commission regarding the proposed determination that the Antelope Valley Redevelopment Area be declared a blighted and substandard area as defined in the Nebraska Community Development Law, a copy of said notice and list of said registered neighborhood associations having been attached hereto as Attachment "B" and "C" respectively; and

WHEREAS, the Lincoln City-Lancaster County Planning Commission on June 25, 2003 recommended that the Antelope Valley Redevelopment Area be found to be both a substandard and blighted area as defined in said Community Development Law and the evidence demonstrates that said Antelope Valley Redevelopment Area as shown and described on Attachment "A" constitutes both a substandard and blighted area as defined in said Community Development Law, which area is in need of redevelopment.

WHEREAS, on July 11, 2003 a notice of public hearing was mailed, postage prepaid, to the foregoing governing bodies and registered neighborhood associations setting forth the time, date, place, and purpose of the public hearing before the City Council to be held on July 21, 2003 regarding the proposed determination that the Antelope Valley Redevelopment Area be declared a blighted and substandard area as defined in the Nebraska Community Development Law, a copy of said notice having been attached hereto as Attachment "D"; and

WHEREAS, on July 4, 2003 and July 11, 2003 a notice of public hearing was published in the Lincoln Journal Star newspaper, setting forth the time, date, place, and purpose of the public hearing to be held on July 21, 2003 regarding the proposed determination that the Antelope Valley Redevelopment Area be declared a blighted and substandard area as defined in the Nebraska Community Development Law, a copy of such notice having been attached hereto and marked as Attachment "E"; and

WHEREAS, on July 21, 2003 in the City Council Chambers of the County City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing relating to the proposed that the Antelope Valley Redevelopment Area be declared a blighted and substandard area as defined in the Nebraska Community Development Law and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed plan; and

WHEREAS, the City Council has duly considered all statements made and materials submitted relating to said proposed determination.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

1. That it is hereby found and determined that the Antelope Valley Redevelopment Area as shown and described on Attachment "A", constitutes both a substandard and blighted area as defined by subsections (10) and (11), respectively, of Section 18-2103, R.R.S. 1943, as amended, and that said area is in need of redevelopment.

2. That it is hereby found and determined that substandard and blighted conditions exist as set forth and discussed in Attachment "F" (entitled Antelope Valley Redevelopment Area- Blight/Substandard Determination Study) attached hereto and incorporated herein as though fully set forth verbatim.

3. That such substandard and blighted conditions are beyond remedy and control solely by regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations or private enterprise without the aids provided by the Community Development law, specifically including Tax Increment Financing. The elimination of said substandard and blighted conditions under the authority of the Community Development Law is found to be a public purpose and in the public interest.

4. That it is hereby found and determined that said area is an eligible site for urban redevelopment projects under the provision of Chapter 18, Article 21, Nebraska Revised Statutes of 1943, as amended.

BE IT FURTHER RESOLVED that the Department of Urban Development as the duly designated community development agency for the City of Lincoln is hereby authorized and directed to immediately proceed with the preparation of a new redevelopment plan and associated projects for the Antelope Valley Redevelopment Area, which plan shall be prepared in accordance with the requirements and procedures of said Chapter 18, Article 21, for ultimate review and consideration by this Council.

Introduced by Terry Werner

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

APPOINTING DAN MARVIN TO THE LINCOLN-LANCASTER COUNTY PLANNING COMMISSION TO FILL AN UNEXPIRED SIX-YEAR TERM EXPIRING AUGUST 24, 2005 - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82223 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Dan Marvin to the Lincoln-Lancaster County Planning Commission to fill an unexpired six-year term expiring August 24, 2005, is hereby approved.

Introduced by Terry Werner

Seconded by Newman & carried by the following vote: AYES: Camp, Cook, McRoy, Newman, Svoboda, Werner; NAYS: Friendt.

APPROVING AN ANNEXATION AGREEMENT BETWEEN THE CITY OF LINCOLN, PINE LAKE

ASSOCIATION, AND SANITARY AND IMPROVEMENT DISTRICT NO. 2 OUTLINING CERTAIN CONDITIONS AND UNDERSTANDINGS WITH REGARDS TO THE ANNEXATION OF APPROXIMATELY 160 ACRES OF PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF SOUTH 84TH STREET AND PINE LAKE ROAD - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82224 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the agreement titled Agreement Regarding the Annexation of Pine Lake (Annexation Agreement), which is attached hereto, marked as Attachment "A" and made a part hereof by reference, between the City of Lincoln, Pine Lake Association, and Sanitary and Improvement District No. 2, outlining certain conditions and understandings between the City and said Owners relating to the annexation of approximately 160 acres of property generally located at the intersection of South 84th Street and Pine Lake Road, is approved.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the Annexation Agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City Clerk is directed to return two fully executed copies of this Agreement to Rick Peo, Chief Assistant City Attorney, for distribution to the Owners.

BE IT FURTHER RESOLVED that the City Clerk is directed to record the Annexation Agreement or a summary memorandum thereof with the Register of Deeds, filing fees to be paid by the City.

Introduced by Terry Werner

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, AUGUST 4, 2003 FOR THE APP. OF KATCH, LLC DBA LUCKIE'S LOUNGE & RESTAURANT AT RAMADA INN FOR A CLASS "C" LIQUOR LICENSE LOCATED AT 1101 W. BOND STREET - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82225 BE IT RESOLVED by the City council, of the City of Lincoln, that a hearing date is hereby set for Mon., August 4, 2003, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the App. of Katch, LLC dba "Luckie's Lounge & Restaurant for a Class "C" liquor license located at 1101 W. Bond St.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Terry Werner

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, AUGUST 4, 2003 FOR THE APP. OF JTM, INC. DBA GRAPEVINE/CITY SPIRITS FOR A CLASS "C" LIQUOR LICENSE LOCATED AT 2620 STOCKWELL - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82226 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., August 4, 2003, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the App. of JTM, Inc. dba "Grapevine/City Spirits" for a Class "C" liquor license located at 2620 Stockwell.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Terry Werner

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

PETITIONS & COMMUNICATIONS

FORMAL PAVING PETITION DISTRICT No. 362-A for the east/west alley, 48th to 49th Streets, Lowell to Meredeth Streets, submitted by Glenn Yurth - CLERK presented said report which was referred to the Law Dept.

REPORTS OF CITY OFFICERS

REGULAR MEETING
July 21, 2003
PAGE 310

INVESTMENT OF FUNDS FOR THE WEEK OF JULY 7 THRU JULY 11, 2003 - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82227 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of investments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council.

Introduced by Terry Werner

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

INVESTMENT OF FUNDS FOR THE WEEK OF JUNE 30 THRU JULY 3, 2003 - CLERK read the following resolution, introduced by Terry Werner, who moved its adoption:

A-82228 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of investments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council.

Introduced by Terry Werner

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

CLERK'S LETTER AND MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED BY COUNCIL ON JULY 14, 2003 - CLERK presented said report which was placed on file in the Office of the City Clerk.

REPORT OF CITY TREASURER FOR TELECOMMUNICATIONS OCCUPATION TAX FOR THE MONTH OF JUNE, 2003; VARTEC; NPCR Inc.; Touch 1 Communications, Inc.; ATS Mobile Telephone Co., Inc.; for months of April - June, 2003: Aliant; Claricom Networks, LLC; and Matrix Telecom, Inc. - CLERK presented said report which was placed on file in the Office of the City Clerk. (20)

REPORT OF CITY TREASURER OF MONTHLY CITY CASH REPORT FOR THE MONTH OF JUNE, 2003 - CLERK presented said report which was placed on file in the Office of the City Clerk. (5-21)

ORDINANCES - 1ST READING

CHANGE OF ZONE 3406 - APPLICATION OF JERRY AND JANET JOYCE FOR A PUD TO EXPAND THE PARKING AREA FOR EXISTING OFFICE BUILDINGS AND CHANGE OF ZONE FROM R-2 RESIDENTIAL TO O-3 OFFICE PARK, WITH WAIVERS TO THE REQUIRED MINIMUM LOT AREA, REAR YARD SETBACK, PARKING IN THE FRONT AND SIDE YARDS, AND PARKING LOT SCREENING, ON PROPERTY GENERALLY LOCATED AT 81ST AND O STREETS - CLERK read the following ordinance, introduced by Terry Werner, for Change of Zone 3406, application of Jerry and Janet Joyce for a PUD to expand the parking area for existing office buildings and change of zone from R-2 Residential to O-3 Office Park, with waivers to the required minimum lot area, rear yard setback, parking in the front and side yards, and parking lot screening, on property generally located at 81st and O Street, the first time.

AMENDING ORDINANCE NO. 17366 FOR THE WIDENING, RECONSTRUCTION AND IMPROVEMENTS IN S. 70TH STREET FROM LASALLE STREET TO NEBRASKA HIGHWAY 2; SOUTH 84TH STREET FROM OAKDALE AVE. TO 1500 FEET SOUTH OF NEBRASKA HIGHWAY 2; PIONEERS BLVD. FROM SOUTH 70TH STREET TO SOUTH 84TH STREET; OLD CHENEY ROAD FROM NEBRASKA HIGHWAY 2 TO SOUTH 88TH STREET; AND PINE LAKE ROAD FROM SOUTH 84TH STREET TO SOUTH 98TH STREET; TO REFLECT CHANGES IN TRAFFIC VOLUMES AND IN THE COMPREHENSIVE PLAN GOALS - CLERK read the following ordinance, introduced by Terry Werner, amending Ordinance 17366 for the widening, reconstruction and improvements in S. 70th Street from LaSalle Street to Nebraska Highway 2; South 84th Street from Oakdale Ave. to 1500 feet south of Nebraska Highway 2; Pioneers Blvd. from South 70th Street to South 84th Street; Old Cheney Road from Nebraska Highway 2 to South 88th Street; and Pine Lake Road from South 84th Street to South 98th Street; to reflect changes in traffic volumes and in the Comprehensive Plan Goals, the first time.

ORDINANCES - 3RD READING

AMENDING CHAPTER 14.36 OF THE LINCOLN MUNICIPAL CODE RELATING TO HOUSEMOVING TO ONLY REQUIRE A BUILDING PERMIT FOR HOUSEMOVING WITHIN THE CITY LIMITS, TO MODIFY REGISTRATION FEE PROVISIONS, TO INCREASE THE LIABILITY INSURANCE, TO INCREASE THE PERMIT FEE, TO ELIMINATE CERTAIN OTHER FEES, TO MODIFY PERMIT CONDITIONS OF APPROVAL, TO MODIFY PROVISIONS REQUIRING MOVED STRUCTURES TO COMPLY WITH THE BUILDING CODE, TO REQUIRE A DEMOLITION PERMIT, AND REMOVAL OF DEBRIS FROM THE PREMISES - CLERK read the following ordinance, introduced by Patte Newman, amending Chapter 14.36 of the Lincoln Municipal Code relating to Housemoving to only require a building permit for housemoving within the city limits, to modify registration fee provisions, to increase the liability insurance, to increase the permit fee, to eliminate certain other fees, to modify permit conditions of approval, to modify provisions requiring moved structures to comply with the building code, to require a demolition permit, and removal of debris from the premises, the third time.

NEWMAN Moved to pass the ordinance as read.

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

The ordinance being numbered **#18206** is recorded in Ordinance Book No.259, Page

RENAMING W. GARFIELD PLACE GENERALLY LOCATED AT S.W. 26TH STREET AND W. GARFIELD PLACE AS W. GARFIELD STREET - CLERK read the following ordinance, introduced by Patte Newman, renaming W. Garfield Place generally located at S.W. 26th Street and W. Garfield Place as W. Garfield Street, the third time.

NEWMAN Moved to pass the ordinance as read.

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

The ordinance being numbered **#18207** is recorded in Ordinance Book No.259, Page

ADOPTING THE CORPORATE LIMITS MAP DATED JULY 1, 2003 AS THE ESTABLISHED AND FIXED BOUNDARIES OF THE CORPORATE LIMITS OF THE CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA - CLERK read the following ordinance, introduced by Patte Newman, adopting the corporate limits map dated July 1, 2003 as the established and fixed boundaries of the Corporate limits of the City of Lincoln, Lancaster County, Nebraska, the third time.

NEWMAN Moved to pass the ordinance as read.

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

The ordinance being numbered **#18208** is recorded in Ordinance Book No.259, Page

AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 160 ACRES OF PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF SOUTH 84TH STREET AND PINE LAKE ROAD - CLERK read the following resolution, introduced by Ken Svoboda, amending the Lincoln corporate limits map by annexing approximately 160 acres of property generally located northwest of the intersection of South 84th Street and Pine Lake Road, the third time.

SVOBODA Moved to pass the ordinance as read.

Seconded by Werner & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Svoboda, Werner; NAYS: None; ABSTAINING: Newman.

The ordinance being numbered **#18209** is recorded in Ordinance Book No.259, Page
DECLARING APPROXIMATELY 33.55 ACRES OF PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF SOUTH 84TH STREET AND PINE LAKE ROAD AS SURPLUS AND AUTHORIZING THE SALE THEREOF - CLERK read the following resolution, introduced by Ken Svoboda, declaring approximately 33.55 acres of property generally located northwest of the intersection of South 84th Street and Pine Lake Road as surplus and authorizing the sale thereof, the third time.

SVOBODA Moved to pass the ordinance as read.

Seconded by Werner & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Svoboda, Werner; NAYS: None; ABSTAINING: Newman.

The ordinance being numbered **#18210** is recorded in Ordinance Book No.259, Page

RECONSIDERATION

COMP. PLAN AMENDMENT 03017 - APPLICATION OF JIM BURDEN TO AMEND THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO INCLUDE A PRESENTATION OF A UNIVERSAL TRANSPORTATION SERVICE KNOWN AS PERSONAL RAPID TRANSIT OR PRT - CLERK requested a motion to reconsider:

COOK Moved to reconsider Bill No. 03R-172.

REGULAR MEETING
July 21, 2003
PAGE 312

Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.
WERNER Moved to substitute the suggested paragraph by Planning Dept. rather than the four pages that were originally submitted. **(As Attached)**
Seconded by Newman & carried by the following vote: AYES: Friendt, McRoy, Newman, Svoboda, Werner; NAYS: Camp, Cook.
COOK Moved to adopt the Bill No. 03R-172 as amended.
Seconded by Newman & carried by the following vote: AYES: Camp, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: Cook

MISCELLANEOUS BUSINESS

PENDING -

SVOBODA Moved to extend the Pending List to July 28, 2003.
Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

UPCOMING RESOLUTIONS -

SVOBODA Moved to approve the resolutions to have Public Hearing on July 28, 2003.
Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.

ADJOURNMENT

4:12 P.M.

SVOBODA Moved to adjourn the City Council meeting of July 21, 2003.
Seconded by Newman & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.
So ordered.

Joan E. Ross, CMC, City Clerk

Glenna Graupmann, Senior Office Assistant